

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KEITH THOMAS,

Plaintiff,

v.

AMIR, et al.,

Defendants.

No. 1:25-cv-00394 JLT SAB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION**

(Doc. 11)

On October 22, 2025, the assigned magistrate judge issued findings and recommendations recommending that the action be dismissed for failure to state a cognizable claim for relief. (Doc. 11.) Plaintiff filed objections on November 17, 2025. (Doc. 12.)

According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. Having carefully reviewed the matter, including the objections, the Court concludes the findings and recommendations are supported by the record and proper analysis. Plaintiff alleges, at most, medical negligence in relation to a procedure he underwent in 2004. While Plaintiff may not have been aware of the exact nature of that possible medical error until 2025, this is of no moment to the magistrate judge's correct conclusion that Plaintiff has failed to allege facts amounting to deliberate indifference. The Court also agrees that further leave to amend is not appropriate. As the Findings and Recommendations explain, (*see* Doc. 11 at 6-7), the Court previously provided

1 Plaintiff with instructions about how to cure the defects in his claims, but Plaintiff failed to do so.

2 Thus, the Court **ORDERS**:

- 3 1. The Findings and Recommendations dated October 22, 2025 (Doc. 11) are
- 4 **ADOPTED** in full.
- 5 2. The action is **DISMISSED** with prejudice for failure to state a claim.
- 6 3. The Clerk of Court is directed to close this case.

7
8 IT IS SO ORDERED.

9 Dated: **November 24, 2025**


UNITED STATES DISTRICT JUDGE